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September 16, 2024

REF: 844300.0003

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VIA ECF

Hon. James R. Cho
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Re: *Karnes et al v. City of New York et al.*, 21-CV-4903 (WFK) (JRC)
Your Honor:

The parties jointly move the court for an additional 90 days to update Your Honor on settlement and discovery.

As anticipated in our June 17, 2024 letter, both Ms. Petree and Ms. Washam have been deposed by the defendants. Additionally, there is an agreement between the parties that the discovery developed in the *Sow v. City of New York, et al.*, 21-cv-00533-CM (SDNY) class action regarding the policing of the George Floyd protests can be used in this action. All the plaintiffs' attorneys are counsel in that case. Allowing the plaintiffs' to use this discovery here largely eliminates the need for involved discovery here.

Also as anticipated in our June 17, 2024 letter, Ms. Washam has been examined by our lifecare planner. Her report is not yet finalized as we are still in the process of gathering documents from a few medical professionals which have been more difficult to obtain than one would imagine. After that report is finalized, we will need to get the report to an economist, to do a cost estimate.

We believe requesting 90 days is prudent as it will, hopefully, allow us to conclude our expert discovery presentation and begin renewed settlement discussions. Part of the reason for the length of time of this request is that Mr. Francolla will be on trial, or preparing for trial the balance of November in the matter of *Estate of George Homer Tillman v. City of New York, et al.*, 18 CV 2211 (RPK) (JAM), before the Honorable Rachel P. Kovner. Should this request be granted, the parties will update the court on our progress on December 16, 2024.

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The parties thank the Court for its attention to this matter.

Respectfully submitted,

A handwritten signature in blue ink, consisting of a large, stylized 'D' followed by a horizontal line and a small upward stroke.

David B. Rankin